



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

## ANSWER OF CATWG TO TALIESIN\*.

I should be glad to know more than I do concerning thee: tell me what soit of a man thou art, said Taliesin to Catwg. In reply to him Catwg said—Thou oughtest to know better concerning me than I myself; for thou hearest as to me behind my back what never came to my ear, and to the country it belongs to judge; and it is not I, nor is it any one else, that knows the whole truth about himself.

## ANCIENT LAWS.

IN the sixteenth number of the CAMBRO-BRITON† a brief account was given of the institution by Hywel Dda, or Howel the Good, of the famous code of laws, which pass under his name. And, as these were compiled as early as the tenth century, they necessarily form a record of the manners and customs of that period, interesting at once to the antiquarian and the historian. Nor is it to the native of Wales only that this ancient document is of importance: the English scholar may also find it of considerable utility in the light it throws on the early jurisprudence of his own country. For it is well known, that the more ancient laws of Wales, which formed the ground-work of those enacted by Hywel, were communicated by Aserius Menevensis‡ to King Alfred at the time, when that celebrated legislator was about to lay the foundation of the English constitution. And a congeniality of principle between the Welsh and English laws in some important particulars may serve to confirm this fact, however difficult it may be, from the refined improvements, which the revolution of so many ages has produced in the latter, to trace, in all instances, this original resemblance. On every account, therefore, the Laws of Hywel, whether as a subject of curious or of useful speculation, possess particular claims on the attention of the learned, as well as of the general, reader: and it falls peculiarly within the province of this work to contribute, as much as possible, to their promulgation.

The Laws of Hywel have, indeed, as stated on a former occa-

\* Arch of Wales, vol. iii. p 76.

† Page 146.—ED.

‡ For notices of Aser, presumed by some to be identified with Geraint Vard d Glas, see the former volume, pp 234 & 329.—ED.

sion, been already translated into Latin by the learned Dr. Wotton; but, as far as the mere English reader is concerned, this version possesses no advantages over the original, even if the scarcity of the work be left out of consideration. And it is, moreover, worthy of notice, that the MS., from which Wotton's translation was made, is not the most perfect of the numerous copies still extant, and many of which are to be regarded rather as commentaries on the spirit of these laws, than as accurate transcripts of them. Indeed, as there is a variation between all the existing MSS., it is probable, that none of them preserve the actual phraseology of Hywel's ordinances, as they were originally framed; but, as almost all appear, on the other hand, to have been written while the laws were in force, full credit may be given to their authenticity, as retaining the substance, if not in all cases the precise diction, of these ancient records \*

The MS., from which the following translation has been made, is preserved among the Cotton Collection in the British Museum, and does not appear to have been consulted by Dr. Wotton, although considered to be, as far as it goes, one of the fairest and most complete extant†. The translation itself is extracted from the Cambrian Register, in the first and second volumes of which work the performance was commenced, without being afterwards brought to a close. A few verbal alterations, however, are here adopted, together with some additional notes‡ and other slight variations: and it is, at present, intended to continue the translation in the successive Numbers, and to supply the deficiency of the Cambrian Register, so as to present, as far as may be practicable, a complete version of these valuable remains, with which view, a collation of other authorities, where opportunities offer, will not be neglected. In conclusion of these prefatory remarks it may be proper to state, that this code of Laws consists of three

\* A copy of these Laws was deposited in each of the Royal Palaces, those of Dyved, Powys, and Gwynedd, which provinces were, eventually, united under the dominion of Hywel.—ED.

† This is the opinion of the writer of the Translation in the Cambrian Register; and, on an inspection of the MS., it appears to be justified. There is likewise a valuable copy in the Welsh School, to which occasional reference will be made in the subsequent notes, under the initials W. S. M. The Cotton MS. is entitled “Cleopatra, B. V. Plut. xix A.” and the copy of the Laws occupies from p. 165 to 221.—ED.

‡ The additional notes will be distinguished, as this is, by the Editor's initials. The others, not so distinguished, are transcribed *verbâtim* from the Cambrian Register.—ED.

divisions, embracing, severally, 1. the Royal Prerogative and Economy of the Court: 2. the Affairs of Civil Jurisprudence: and, 3. the Criminal Law.

\* \* \*

### THE LAWS OF HYWEL DDA.

THE King of Wales, Hywel the Good, son of Cadell, hath done this by the grace of God, prayer, and fasting, when Wales was in his possession according to its boundary: the sixty-four hundreds of South Wales, the eighteen hundreds of North Wales, the sixty townships of Trachyrchell, and the sixty townships of Buallt. And within that limit nobody's word went before his word; but his was superior to all\*.

As bad customs and bad laws existed before his time, he thereupon summoned six men out of every commot in Wales, and brought them to him to the White House †, together with seven score crosiers, between bishops, archbishops, abbots, and good instructors, to frame wholesome laws,—to annul those, that were become corrupt before his time, and to enact good ones in their stead, and thus to give stability to his name. And, out of that number, twelve of the wisest laymen and one scholar were selected to make the laws ‡.

Thus, when they had finished framing the institutes, they impetrated the malediction of God, and of that assembly, and of Wales in general upon whosoever should violate them§.

\* From the territory, here described, it may be inferred, that these Laws were framed before Hywel became possessed of the full sovereignty of Wales, which was in the year 940, on the death of Idwal Voel, Prince of Gwynedd, of which province eighteen hundreds only are above enumerated as being under the dominion of Hywel.—ED.

† We recognise this spot at the ruins of Whitland Abbey, above Tenby, on the little river *Tev* in Carmarthenshire. Some copies of the Laws say, that *Ty Gwyn* was a house for the convenience of hunting, made of white rods.

‡ The W. S. M. is different.—It says, that four, out of the six, from each commot, were laymen, and the other two were scholars.

§ When the assembly had settled the Laws, which it judged proper to be established, Hywel gave them his authority, and commanded, that they should be scrupulously observed. Hywel also, and the wise men, who were with him, desired their malediction and that of all Wales upon such as transgressed the Laws; and they invoked a malediction upon the judge, who should accept a bribe to bias a decision, and upon the lord who should give it.—W. S. M.

And this book was compiled by Morgeneu, and Cyvnerth his son\*. The Laws of the Court were revised first, because they were the chief of all.

## LAWS OF THE COURT.

*The Twenty-four Officers of the King and Queen †.*

1. Master of the Household ‡.	11. Crier.
2. Domestic Chaplain.	12. Door-keeper of the Hall.
3. Steward of the Household §.	13. Door-keeper of the Chamber.
4. Judge of the Palace.	
5. Falconer.	14. Page of the Chamber.
6. Chief Groom.	15. Chambermaid.
7. Chief Huntsman.	16. Groom of the Rein.
8. Steward of the Household to the Queen.	17. Torch-bearer.
9. Queen's Chaplain.	18. Butler.
10. Domestic Bard.	19. Mead-brewer.
	20. Officers of the Palace   .

\* The following note, in Welsh, is written in the margin of the MS. "Cyvnerth, the son of Morgeneu, first wrote and arranged this book under the form and manner it bears." The note is subscribed "Jasp. Gruff. 1600," and is written in a hand comparatively modern with the rest of the book. It does not appear, who this Cyvnerth was; unless he was a son of Morgeneu, Bishop of St. David's, at the close of the tenth century.—ED.

† The order, in which these officers are placed, differs from that both in Wotton and in the W. S. M.: and there is also a variation in some of the names, together with the addition of eleven other officers, of an inferior nature, not included above. Of the twenty-four Officers of the Household sixteen are, in the W. S. M., appropriated to the King and the rest to the Queen. The translation of two or three names, in the list above given, will be found to vary from that in the Cambrian Register.—ED.

‡ The original is *Penteulu*, which is rendered, in the Cambrian Register, "Patron of the Family," with reference, perhaps, to the *Paterfamilias* of the Romans, though, it appears, erroneously. Dr. Davies, in his Dictionary, translates *Penteulu* by the words *Economus* and *Dispensator*; and in Mr. Owen's Dictionary it is rendered, more accurately, "President of the Household." The version, above adopted, is, however, [the common appellation, and describes an office well known to most courts. In Wales it was filled some times by the heir to the throne, and always by one of the blood royal.—ED.

§ The original word is *Distain*, meaning one, who lays or spreads out, and is, accordingly, rendered by Wotton *Dapifer*. E. Llwyd renders it *Steward*, as above: and in that sense it is used in the Welsh Bible.—ED.

|| It does not appear what was the particular post of these "Officers of the Palace," who are called *Swyddwyr Llys* in the original. They are not mentioned, as forming a part of the twenty-four, in the W. S. M. or in Wotton.—ED.

---

21. Cook.	23. Physician.
22. Foot-holder*,	24. Groom of the Rein to the Queen.

*Sundry Privileges†.*

The Officers are entitled to have their woollen garments, of which they stand in need, from the King, and the linen garments from the Queen, three times in the year,—at Christmas, Easter, and Whitsuntide.

The Queen shall participate in all the fixed revenue of the King ‡.

The Officers of the Queen have a proportion of one third with the Officers of the King.

The three persons, that offer an insult to the King, are—he, that violates his protection,—he, that kills one of his men in his presence,—and he that obstructs his wife §.

For such an insult to the King a hundred cows shall be paid on account of every hundred of the kingdom, and a silver rod with three knobs at top, that shall reach from the ground to the King's face, when he sits in his chair, and as thick as his ring-finger, and a golden bason, which shall hold fully as much as the King drinks, of the thickness of a husbandman's nail, who shall

\* *Troedlaug* is the original word, which, from the description given of the office, is properly translated “foot-holder.” Wotton calls it *Pedifer*. According to another part of the Laws, the duty of the *Troedlaug* was to hold the King's feet in his lap from the time he sat down at the banquet until he went to sleep, during which period he was to scratch the King and guard him from all accidents. This facetious employment reminds one of the Eastern courts, where something not very dissimilar is still practised. It would also appear, that the Spanish *siesta* was anciently not unknown in Wales. The Foot-holder is not among the twenty-four in the W. S. M.—ED.

† The order of the MS. is here followed, though it does not appear to be very methodical. Should a separate English translation of these laws ever be published, a different classification would, of course, be necessary.—ED.

‡ The King is bound to grant to the Queen a third of his income from landed property: and thus the King's officers are to yield one third to the officers of the Queen.—W. S. M.

§ An insult may be offered to the King in three ways: when his protection is violated, by killing a person who shall have sought an asylum with him; secondly, when one party kills a man belonging to the other at an interview between two kings on their neutral boundary; and, thirdly, by misusing his wife.—W. S. M. In other copies the latter expression is explicit,—*he that seduces his wife*.

have followed husbandry for seven years,—and a golden cover, as broad as the King's face, equally thick as the bason\*.

The privilege of the Lord of Dinevor is to receive as many white cows, as would reach completely, one at the tail of the other, with a bull between every score of them, from Argoel to the Palace of Dinevor†.

The death of the King is compensated at three times as much as is paid for an insult to him; that is, by its triple augmentation.

By three means the Queen may be insulted: when her protection is transgressed, or when struck out of anger, or when a thing is taken by force out of her hand. And, thereupon, satisfaction shall be made to the Queen, equal in value to the third for an insult to the King, the gold and silver excepted‡.

*The Heir Apparent* §.

The Heir Apparent is the most honourable next to the King and the Queen.

He is to be a brother, or a son, or a nephew, as brother's son, to the King ||.

\* Instead of the payment being part in gold it is said to be all of the latter metal in the W. S. M., thus:—A golden rod as long as himself, of the thickness of his little finger, and a golden tablet as broad as his face and as thick as a husbandman's nail.

† The “Lord of Dinevor” was one of the royal titles: the curious privilege, here mentioned, must, therefore, have been one of the prerogatives of the crown.—ED.

‡ In the W. S. M. this is followed by—The King should have in his company thirty-six persons on horseback, the twenty-four officers, and the twelve residents by courtesy, besides his family, his select friends, his servants, his minstrels, and those, whom he maintains by his bounty; and that is called the King's retinue.

§ The original word is *Edlin*, which the Cambrian Register translates “Presumptive Heir;” there seems no good reason, however, why the more obvious designation, above adopted, should not be used, and which occurs as the version of the term in Owen's Dictionary. Dr. Davies renders it by *Haeres Regius*. The word is a derivation of *lin*, a line, and implies, literally, “one in the line of succession.” Wotton, therefore, is not correct, when he calls it a Saxon word, and refers it to *Edlinge*, signifying a Prince's son. It is quite as probable, if not more so, that the Saxon word was derived from the Welsh.—ED.

|| The members of the King are his sons, his nephews, and his cousins. Some say, that each of these is an *edlin*; others say, that no one is so but to whom the King shall give hope and prospect of succeeding.—W. S. M.

The protection of the Heir Apparent is to send the person out of the reach of danger.

The satisfaction for the insult and for the death of the Heir Apparent and the King are alike, except the gold and silver.\*

The place of the Heir Apparent is in the hall opposite to the King on the other side of the fire.

Between the Heir† and the pillar, next to him, the Judge of the Court shall sit, and the Domestic Chaplain on the other side of him; and then the Chief Musician‡. After this there is no fixed place to any one in the hall.

The firemen and the collectors of the land revenue shall be in the lodging of the Heir Apparent.

The King is bound to defray the whole expenditure of the Heir Apparent in an honourable manner.

The lodging of the Heir Apparent and of the king's sons with him is in the hall.

It is the duty of the person, who has to provide firing, to kindle the fire, and shut the doors, when the Heir Apparent is gone to rest.

The Heir Apparent shall have a sufficient allowance on the three principal festivals.

The noble by privilege is to sit, at the King's side, on the Heir's right: every one shall sit as he pleases afterwards.§

\* In another copy "except a diminution of one third." Perhaps, the gold and silver, here described, was then considered equal in value to the third part of the number of the cattle specified, as the satisfaction required for the King.

† The word, here translated "heir," is *gwirthrychyd*, which implies, literally, what is *objective* or *apparent*, an image, and is, therefore, used for an heir, as being, says Dr Davies, the image of the father. Wotton considers the word to be of the same import as *edlin*, and translates it *princeps designatus*. The difference, however, appears to be, that *edlin* is a specific, and *gwirthrychyd* a general, term.—ED.

‡ The station of the chief of song, or, to speak more modernly, the doctor of music, was honorary; for he was not one of the twenty-four officers. And his was a distinct post from that of the domestic bard, though some of the privileges are confounded together in most copies of the Laws. [The *Pencerdd* is described as a bard that had passed the chair, and, consequently, as taking precedence, in singing, of the domestic bard.—ED.]

§ Additions from the W. S. M.:—The *Edlin* is the third person, who may have a banquet in the court.—The attendants ought to stand in serving him in the same manner as before the King.—He ought not to be absent a night from the King.—His dogs and those of the King are of the same value.—The *Edlin* and the like near relatives shall depend upon the King, until they ob-

*Privileges of Protection.\**

A privileged right of granting protection appertains to every officer.

The protection of the Queen is to send the person out of the limits of the country, without pursuit or obstruction.

The protection of the Master of the Household is to send the person out of the bounds of the commot.†

The protection of the Domestic Chaplain is as far as the nearest church.

The protection of the Steward of the Household is from the time he stands in his office until the last person shall have gone from the court to rest.

The protection of the Judge of the Palace is while the pleadings continue from the first cause until the last.

The protection of the Falconer is to the farthest range which his hawk takes to kill birds.

The protection of the Chief Groom is while the fleetest horse continues running.

The protection of the Chief Huntsman is to the farthest place that the cry of his dogs can be heard.

The protection of the Steward of the Household to the Queen is from the time he comes upon duty in the Queen's service until the last person shall have gone to rest from the apartment.

The protection of the Queen's Chaplain is as far as the next church.

The protection of the Domestic Bard is to conduct the person to the Master of the Household.

The protection of the Crier is from the first command of silence to the last.

The protection of the Door-keeper is to send the person the

tain land; and then they shall take the rank, appertaining to such land, except when they get possession of a villenage: in that case the tenure of the land shall be raised and become free.—No officer has any claim upon him in the three principal festivals for he is to have free attendance.

\* This implies a right of giving an asylum to a transgressor of the laws, who seeks for refuge. In the W. S. M. the Protections are not classed together as they are here; but the Protection is put with the other privileges attached to each officer. [This right of affording protection or sanctuary was anciently known to most nations, and still prevails, to a partial extent, in some Catholic countries.—ED.]

† The *commot*, in the original *cwmwd*, was a subdivision of a *cantrœ*, or hundred, comprising twelve manors and two hamlets.—ED.

length of his arm and the length of his rod towards the Porter ; for he is to receive him.

The protection of the Porter is to keep the person, until the Master of the Household comes to the gate to go to his lodging ; and then the refugee shall walk unmolested until the last person leaves the court.\*

The protection of the Door-keeper of the Chamber is to conduct the person to the Porter.

The protection of the Page of the Chamber is to defend the person from the time of going to gather rushes until the spreading of the king's bed is finished.†

The protection of the Chambermaid is similar to that of the Page of the Chamber.

The protection of the Groom of the Rein is from the time that the smith begins to make four shoes, with their sets of nails, whilst he shoes the King's steed.

The protection of the Torch-bearer is from the lighting of the first candle until the last candle is extinguished.

The protection of the Butler is from the putting of the cup in the liquor until he finishes serving the last person.

The protection of the Mead-brewer is from the time he shall prepare to make the mead until he puts it in the barrel.‡

The protection of the Officer of the Palace is from the time he shall begin to distribute the first dish until the last person shall obtain his share.

The protection of the Cook is from the time he bakes the first joint until he shall set the last joint before the King.

The protection of the Foot-holder is to defend the person from the time he shall sit under the King's feet until he shall go to the chamber.

The protection of the Physician is from the time he shall go,

\* The name of *Porthawr*, or Porter, is not in the list of officers in the beginning, but *Drysawr y Newad*, or Doorkeeper of the Hall, seems to be put in stead of it. [There is in fact a distinction between a Porter and Doorkeeper, the office of the former having reference to the outer gate, and the latter to an inner door, as that of a hall or chamber. The difference, indeed, between *gate* and *door* in English, or between *porta* and *fores*, in Latin, fully exemplifies this distinction.—ED.]

† His protection continues from the time a person goes for a load of straw to put under the King, and whilst the bed is making and the clothes spread upon it, until he takes them off in the morning.—W. S. M.

‡ His protection continues from the time he begins to make a vat of mead till he has a covering over it.—W. S. M.

by the King's permission, to visit his patient until he shall return to the court.

The protection of the Groom of the Rein to the Queen is similar to that of the Groom of the Rein to the King.

[*To be continued.*]

## BARDIC PORTRAITS.

### MERDDIN.

Of all the names, connected with the early literature of Wales, there is none more remarkable than that of Merddin, whether it be with reference to his legitimate fame, or to those *præternatural endowments*, which the popular voice of ignorance or credulity has ascribed to his character. Under the appellation of Merlin, this ancient bard has long acquired with the world a sort of proverbial celebrity for certain necromantic qualifications, which, it is most probable, were originally inferred from that poetical enthusiasm, by which he appears to have been actuated. And it may also be, that the circumstances of his life, marked, as it was, by a singular waywardness of fortune, contributed their aid to the popular misapprehension, in which his name has been involved. And, thus, a sort of spurious and visionary renown has supplanted that genuine reputation, to which Merddin is entitled as one of the most eminent bards during an age, illustrious in the poetical annals of Wales.

Merddin ab Morvryn, or Merddin Wyllt, as he is generally called, to distinguish him from Merddin Emrys\*, is reputed to have been the son of Madog Morvryn, who lived in North Britain during the sixth century: and, from the title of Caledonius, affixed to his name in some early records, it has been inferred, that he was a native of that part of the country, which bordered on the great forest of Celyddon, or Caledonia. But, wherever the precise spot of his birth may have been, it seems generally agreed, that it was in some part of the confines of Scotland†: The rank, which Merddin's family filled, does not particularly appear; but, if the authority of a Welsh poet of the fourteenth

\* Merddin Emrys lived about a century earlier than Merddin Wyllt: a notice of him occurs in the former volume, p. 124.

† Some accounts, but of no apparent authority, ascribe his birth, respectively, to Dimetia, or Dyfed, and to the neighbourhood of Conway, Caernarvonshire.